

February 9, 2004

Dawn Gallagher, Commissioner
Maine Department of Environmental Protection
17 State House Station
Augusta, ME 04333-0017

Re: 2002 Section 303(d) list approval

Dear Commissioner Gallagher:

Thank you for Maine's final submittal of the **2002 Clean Water Act Section 303(d) list** included in the *Department of Environmental Protection 2002 Integrated Water Quality Monitoring and Assessment Report* sent to EPA electronically January 15, 2004. In accordance with Section 303(d) of the Clean Water Act and 40 CFR §130.7, the U.S. Environmental Protection Agency (EPA) conducted a complete review of Maine's 2002 Section 303(d) list and supporting documentation. Based on this review, EPA has determined that Maine's list of water quality limited segments still requiring Total Maximum Daily Loads (TMDLs) meets the requirements of Section 303(d) of the Clean Water Act (CWA) and EPA's implementing regulations. Therefore, EPA hereby approves Maine's Section 303(d) list.

The submittal includes a list of those waters for which technology based and other required controls for point and nonpoint sources are not stringent enough to attain or maintain compliance with the State's Water Quality Standards. The submittal presents Maine's TMDL strategy which describes a priority setting approach and identifies those waters for which TMDLs will be completed and submitted during the next two years. The statutory and regulatory requirements, and EPA's review of Maine's compliance with each requirement, are described in detail in the enclosed approval document.

The Maine Department of Environmental Protection (ME DEP) also successfully completed a public participation process during which the public was given the opportunity to review and comment on the Section 303(d) list. As a result of this effort, Maine has considered public comments in the development of the final list. A summary of the public comments and ME DEP's response to comments was included in the January 15, 2004 submittal.

Your staff have done an excellent job of preparing a comprehensive and informative list, and providing EPA with supporting documentation assistance. We are pleased with the quality of your submittal and appreciate the level of effort that ME DEP has devoted to preparing the 2002 Section 303(d) list.

My staff and I look forward to continued cooperation with ME DEP in implementing the requirements under Section 303(d) of the CWA. Please feel free to contact me or Jennie Bridge at 617-918-1685, if you have any questions or comments on our review.

Sincerely,

Linda M. Murphy, Director
Office of Ecosystem Protection

Enclosures

cc: Andrew Fisk, ME DEP
Dave Courtemanch, ME DEP